

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

SAFECO INSURANCE COMPANY
OF AMERICA,

Plaintiff,

vs.

JEFFREY JAMES HALVORSON,

Defendant.

CV 21–36–M–DLC

ORDER

Before the Court are the parties’ supplemental briefs in support of summary judgment. (Docs. 47, 48.) The Ninth Circuit reversed this Court’s grant of summary judgment to Plaintiff Safeco Insurance Company of America and remanded for further proceedings. (Doc. 42.) The parties filed a joint status report addressing their positions concerning appropriate subsequent proceedings in this matter and a proposed schedule for such proceedings. (Doc. 46.) The parties agreed to submit supplemental briefing addressing the impact of the Ninth Circuit’s ruling on the remaining summary judgment arguments. (*Id.* at 2.) However, the parties disagree as to whether response briefs should be permitted. (*Id.*)

The Court finds that response briefs are not necessary because the parties have agreed to use the same factual record and arguments already raised in their briefing on summary judgment. The supplemental briefs now before the Court adequately address the parties' positions with respect to the Ninth Circuit's ruling.

Accordingly, IT IS ORDERED that the Court will not permit response briefing on the supplemental briefs in support of summary judgment.

DATED this 10th day of October, 2023.



Dana L. Christensen, District Judge
United States District Court